THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.10000 OF 2006

DATED: 12-02-2007

BETWEEN

Pilli Nookaraju, S/o. Appanna,
Occ: Agriculture, R/o. H.No.70-2-134-A,
Ramanaiahpeta, Kakinada,
East Godavari District.

...PETITIONER

AND

The Director-General of Police,
Andhra Pradesh, Hyderabad
and others.

...RESPONDENTS

ORDER:

This writ petition has been filed seeking a Writ of Mandamus to declare the action of the fourth respondent in interfering with the petitioner and his family members liberty without any justification whatsoever.

2. Counter has been filed stated that on a complaint filed by one Mr. Mankena Sathiraju S/o. Pentaiah, on 04.05.2006 against the petitioner a case in Cr.No.100 of 2006 under Sections 447, 427, 506 read with Section 34 of the Indian Penal Code, 1860 was registered and investigation has been taken up. It is stated that the second respondent never illegally interfered with the civil liberty of the petitioner and never made an attempt to compromise the matter and all other allegations have been denied. It is stated that the son of the petitioner is involved in the said crime and he was not at all arrested. It is further stated that only with an intention to divert the attention of the investigating officer in not arresting the petitioner and his son,

this writ petition has been filed.

3. In view of the aforesaid categorical denial of the allegations of the petitioner, I do not see any merits in the writ petition.

The writ petition is accordingly dismissed. However, if there is any interference by the official respondents it is always open to the petitioner to file a private complaint before the concerned Magistrate for taking appropriate action. There shall be no order as to costs.

_____

V. ESWARAIAH, J

February 12, 2007
DSK